

## **REMARKS**

### **Status of the Claims**

Claims 10, 11, 13 and 16-35 are presented. Claims 10, 28, 31 and 34 are amended to include the limitation of the emulsion penetrating into the paper and becoming uniformly dispersed therein; support is found in the specification on page 3, lines 15-17. No claims are cancelled. No new claims are added.

No new matter has been introduced.

### **Summary of the Invention as Claimed**

As currently amended, disclosed is a process for making paper substrates having a soft feel comprising (a) providing a paper substrate, (b) providing an emulsion consisting essentially of a polyol poly-12-hydroxystearate, a wax ester or unsaturated wax ester, and a wax, and (c) impregnating the paper substrate with the emulsion, wherein the emulsion penetrates very quickly into the paper and is uniformly dispersed therein.

### **Response to the Advisory Action, dated August 28, 2008**

The Examiner stated that Applicants' arguments were not convincing because (1) there is nothing in the claims that limits the penetration of the composition through the web and (2) there is nothing in the claims that limits the emulsion size so that the composition penetrates into the web or not. In response Applicants hereby amend claims 10, 28, 31 and 34 to include the limitation of the emulsion penetrating into the paper and becoming uniformly dispersed therein, as described above.

### **Rejections under 35 U.S.C. § 103(a)**

In the final office action, dated May 15, 2008, the Examiner reiterated his rejection in the office action of November 16, 2007, where he rejected all claims under 35 U.S.C. § 103(a) as unpatentable over de Haut et al. (US 6,207,014; "de

Haut"). In response to Applicants' arguments filed on February 21, 2008, the Examiner stated that the addition of the fatty alcohols of de Haut would not materially change the composition to cause the lotion to stay on the surface of the web, arguing that the particle size of an emulsion can be modified by various means to obtain the particle size functionally described by Applicants as a means of obtaining penetration of the paper. The Examiner cited various references to show that the emulsion particle size can be altered by physical and/or chemical means; and specifically by adding other chemical components. Thus de Haut's fatty alcohols (i.e., chemical components), when added to Applicants' composition would influence the particle size in an undefined way. But according to de Haut he has selected the components of his emulsion to remain specifically on the surface of the paper (col. 6, lines 62-67). Thus one of ordinary skill in the art reading de Haut would conclude that his lotions containing the indicated fatty alcohols remain on the surface of the paper. Applicants respectfully submit, therefore, that de Haut in fact teaches away from the invention as now claimed. If de Haut suggests anything to a person skilled in the art, it is to add components that preclude the occurrence of penetration and dispersion as now claimed.

In conclusion, based on the inclusion of the claim limitations and arguments as set forth above, Applicants believe that the claims as currently amended are allowable and respectfully request allowance in the next office action.

Respectfully submitted,

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